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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte KHACHATUR PAPANYAN, KEN MARANIAN, and
HANG H. NG

Appeal 2009-005495
Application 10/601,353
Technology Center 2100

Decided: May 25, 2010

Before JOSEPH L. DIXON, STEPHEN C. SIU, and
DEBRA K. STEPHENS, *Administrative Patent Judges*.

SIU, *Administrative Patent Judge*.

DECISION ON APPEAL
STATEMENT OF THE CASE

This is a decision on appeal under 35 U.S.C. § 134(a) from the Examiner's rejection of claims 1, 4-6, 8, 12-15, and 19-21. Claims 2, 3, 7, 9-11, and 16-18 are canceled. We have jurisdiction under 35 U.S.C. § 6(b).

We reverse.

Invention

The invention relates to a method and apparatus for efficiently transferring web pages to a client through the use of database triggers (Spec. 1, ll. 9-10).

Independent claim 1 is illustrative:

1. A method for delivering a web page to a client, comprising:
 - receiving a request from a client for a web page;
 - generating a query from a web server to a database server, said database server comprising a plurality of data tables and a web page cache table;
 - using said database server to detect execution of database triggers for updating status flags in said web page cache table;
 - examining a flag in a data field in said web page cache table corresponding to said requested web page to determine if the most current version of said requested web page is stored on said web server; and
 - returning the most current version of the web page to the client.

Reference

The Examiner relies upon the following reference as evidence in support of the rejection:

Zhu

US 6,990,526 B1

Jan. 24, 2006
(filed May 22, 2001)

Rejection

Claims 1, 4-6, 8, 12-15, and 19-21 are rejected under 35 U.S.C. § 102(e) as being anticipated by Zhu.

ISSUE

The Examiner finds that “a trigger is a statement that is executed when a specific operation occurs” (Ans. 12).

Appellants submit that “[a] database trigger is a ‘stored procedure’ that is invoked automatically when a predefined event occurs [while] a ‘stored procedure’ is a set of SQL commands that has been compiled and stored on the database server” (App. Br. 5).

Issue: Did the Examiner err in finding that Zhu teaches using a database server to detect execution of database triggers for updating status flags in a web page cache table?

FINDINGS OF FACT

The following Findings of Fact (FF) are shown by a preponderance of the evidence.

1. The Specification teaches that “[i]n a database, a trigger is a set of Structured Query Language (SQL) statements that automatically ‘fires off’ an action when a specific operation, such as changing data in a table, occurs” (p. 5, ll. 14-17).
2. Zhu teaches that:

The signature generator passes the signature and the corresponding URL [uniform resource locator] to the

cache controller 220 which stores them in signature table 218 shown in detail in FIG. 2C. When successive signatures for the same web page, identified by the same URL differ the cache controller loads the new signature into the associated row of the signature table and changes a status bit associated with the web page to indicate associated web page is stale or out of date.

(Col. 5, ll. 12-21).

PRINCIPLES OF LAW

Claim interpretation

“In the patentability context, claims are to be given their broadest reasonable interpretations. . . . [L]imitations are not to be read into the claims from the specification.” *In re Van Geuns*, 988 F.2d 1181, 1184 (Fed. Cir. 1993) (citations omitted). Any special meaning assigned to a term “must be sufficiently clear in the specification that any departure from common usage would be so understood by a person of experience in the field of the invention.” *Multiform Desiccants Inc. v. Medzam Ltd.*, 133 F.3d 1473, 1477 (Fed. Cir. 1998).

Anticipation

Anticipation of a claim under § 102 can be found only if the prior art reference discloses every element of the claim. *See In re King*, 801 F.2d 1324, 1326 (Fed. Cir. 1986) and *Lindemann Maschinenfabrik GMBH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 1458 (Fed. Cir. 1984).

ANALYSIS

Appellants argue that Zhu fails to teach the claimed use of database triggers, while the Examiner finds that Zhu's teachings include use of triggers. Based on the arguments, we will decide the appeal on the basis of claim 1 alone. *See* 37 C.F.R. § 41.37(c)(1)(vii).

The Examiner finds that “[i]n Zhu’s invention, the detection of a request for a web page *triggers* the generation of a signature, which is then used to update the status bit of a web page” (Ans. 12) (emphasis added). While supported by Zhu (FF 2), this finding is insufficient to show that Zhu anticipates the claimed invention.

Appellants do not claim detecting execution of triggers. Instead, Appellants claim detecting “execution of *database triggers*” (claim 1) (emphasis added). The Specification defines database triggers as a set of SQL statements that automatically fires off an action when a specific operation occurs (FF 1). Zhu teaches that when successive signatures for a web page differ, a cache controller changes a status bit associated with a web page (FF 2). However, Zhu fails to specify that this is done through a series of SQL statements that automatically fire off an action (*id.*).

For at least these reasons, and since independent claims 8 and 15 contain similar language, we conclude that the Examiner erred in rejecting independent claims 1, 8, and 15, and claims 4-6, 12-14, and 19-21 which depend therefrom.

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CONCLUSIONS OF LAW

Based on the findings of facts and analysis above, we conclude that the Examiner erred in finding that Zhu teaches using a database server to detect execution of database triggers for updating status flags in a web page cache table.

DECISION

We reverse the Examiner's decision rejecting claims 1, 4-6, 8, 12-15, and 19-21 under 35 U.S.C. § 102(e).

REVERSED

msc

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